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DEC 27 2004

Docket No. 0708-4038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Wagner

Group Art Unit: 1641

Serial No.: 09/087,871

Examiner: GABEL, GAILENE

Filed: June 2, 1998

For: AUTOMATED DIAGNOSTIC SYSTEM IMPLEMENTING IMMUNOASSAYS  
AND CLINICAL CHEMISTRY ASSAYS ACCORDING TO A REFLEX  
ALGORITHM

**PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. § 1.136(a))**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. This is a petition for an extension of time for filing a Request for Reconsideration Pursuant to 37 CFR §1.114
2. The communication in connection with the matter for which this extension is requested
  - ☒ is filed herewith.
  - ☐ has been filed on \_\_\_\_\_.
3. ☐ Applicant(s) is/are entitled to Small Entity Status.
  - ☐ Statement has already been filed

4.		Total Months <u>Requested</u>	Fee for Other <u>than Small Entity</u>	Fee for <u>Small Entity</u>
a.	<input type="checkbox"/>	one month	\$120.00	\$60.00
b.	<input type="checkbox"/>	two months	\$450.00	\$225.00
c.	<input type="checkbox"/>	three months	\$1,020.00	\$510.00
d.	<input type="checkbox"/>	four months	\$1,590.00	\$795.00
e.	<input checked="" type="checkbox"/>	five months	\$2,160.00	\$1,080.00

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- f. ☐ An extension for \_\_\_\_\_ months has already been secured for filing the above-identified communication and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. The fee for this extension (\$ \_\_\_\_\_), minus the fee previously paid (\$ \_\_\_\_\_) equals \$\_\_\_\_\_ (total fee due).
5. ☐ A check in the amount of \$\_\_\_\_\_ to cover the extension fee is attached.
6. ☒ Charge fee to Deposit Account No. 13-4500, Order No. 0708-4038. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500. Order No. 0708-4038. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: December 27, 2004By: 

David V. Rossi  
Registration No. 36,659

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